

## **COUNTY OF LOS ANGELES**

#### DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE ALHAMBRA, CALIFORNIA 91803-1331 Telephone: (626) 458-5100 http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO: P.O. BOX 1460 ALHAMBRA, CALIFORNIA 91802-1460

> IN REPLY PLEASE REFER TO FILE

August 10, 2010

# **ADOPTED**

BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, CA 90012

#28 AUGUST 10, 2010

SACHI A. HAMAI EXECUTIVE OFFICER

**Dear Supervisors:** 

GRANTS OF EASEMENTS
FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
TO KYLE ROBINSON AND RACHEL ROBINSON AND
BRAD BAYLISS AND DENISE BAYLISS
PRIVATE DRAIN NO. 704 - PARCEL 2
IN THE CITY OF SANTA CLARITA
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)

#### SUBJECT

This action will allow the Los Angeles County Flood Control District to grant easements for ingress and egress and public utilities purposes along a portion of Private Drain No. 704, Parcel 2, in the City of Santa Clarita, to Kyle Robinson and Rachel Robinson and Brad Bayliss and Denise Bayliss.

# IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

- 1. Find that these transactions are categorically exempt from the provisions of the California Environmental Quality Act.
- Find that the proposed grants of easements for ingress and egress, public utilities purposes, and the subsequent use of said easements would not interfere with the use of Private Drain No. 704 for any purposes of the Los Angeles County Flood Control District.

- 3. Approve the grant of an easement for ingress and egress and public utilities purposes from the Los Angeles County Flood Control District to Kyle Robinson and Rachel Robinson along Private Drain No. 704, Parcel 2, in the City of Santa Clarita, in exchange for an easement for ingress and egress and public utilities purposes from Kyle Robinson and Rachel Robinson to the Los Angeles County Flood Control District, Private Drain No. 704, Parcel 5IE.
- 4. Approve the grant of an easement for ingress and egress and public utilities purposes from the Los Angeles County Flood Control District to Brad Bayliss and Denise Bayliss, Private Drain No. 704, Parcel 2, in the City of Santa Clarita for \$2,500.
- 5. Instruct the Chair of the Board of Supervisors to sign the enclosed Easement documents and authorize delivery to Kyle Robinson and Rachel Robinson and Brad Bayliss and Denise Bayliss.

#### PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval from the County of Los Angeles Board of Supervisors (Board), acting as the governing body of the Los Angeles County Flood Control District (LACFCD), to grant easements for ingress and egress and public utilities purposes along portions of Private Drain No. 704, Parcel 2, in the City of Santa Clarita, from LACFCD to Kyle Robinson and Rachel Robinson and Brad Bayliss and Denise Bayliss. The adjacent property owners requested the easements to obtain legal and physical access to their properties.

## Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The revenue received from this transaction will help promote fiscal responsibility for the operation and maintenance of flood control facilities. This transaction also allows for the continuation of access for the maintenance and improvement of the Santa Clara River, thereby improving the quality of life for the residents of the County of Los Angeles.

#### FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The Honorable Board of Supervisors August 10, 2010 Page 3

The cost of the easement, in the amount of \$2,500, represents the LACFCD's minimum sale price. This amount has been paid and deposited into the Flood Control District Fund.

#### FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Parcel 2 is located along Private Drain No. 704, east of Goodvale Road, in the City of Santa Clarita.

The proposed grants of easements are authorized by Section 2, Paragraph 13, of the Los Angeles County Flood Control Act. This Section provides as follows: "To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of said board of supervisors said property, or any interest therein or any part thereof, is no longer required for the purposes of said district, or may be leased for any purpose without interfering with the use of the same for the purposes of said district..."

The granting of the easements is not considered adverse to LACFCD and will not hinder the use of Private Drain No. 704 for possible transportation, utility, or recreational corridors. Moreover, the Easement documents reserve paramount rights for LACFCD purposes.

The Easement documents have been approved by County Counsel as to form and will be recorded.

#### **ENVIRONMENTAL DOCUMENTATION**

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15305 and of the CEQA guidelines and Class 5(a) of the Environmental Reporting Procedures and Guidelines adopted by your Board on November 17, 1987. These exemptions provide for the granting of easements to private citizens for utility purposes.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

This action allows for the joint use of the LACFCD's right of way without interfering with the primary mission of LACFCD.

The Honorable Board of Supervisors August 10, 2010 Page 4

#### CONCLUSION

Please return one adopted copy of this letter and the two executed original Easement documents to the Department of Public Works, Survey/Mapping & Property Management Division. Retain the duplicates for your files.

Respectfully submitted,

Gairanu

GAIL FARBER
Director of Public Works

GF:SGS:mr

**Enclosures** 

c: Auditor-Controller (Accounting Division - Asset Management)
Chief Executive Office
County Counsel
Executive Office

# **DUPLICATE**

RECORDING REQUESTED BY AND MAIL TO:

Kyle Robinson and Rachel Robinson 18800 Goodvale Road Santa Clarita, CA 91351-1241

Documentary Transfer Tax is \$
( ) computed on full value of property conveyed, or
( ) computed on full value less value of liens and
encumbrances remaining at time of sale

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Space Above This Line Reserved for Recorder's Use

Assessor's Identification Number: 2802-003-908 (Portion)

# EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to KYLE ROBINSON and RACHEL ROBINSON, husband and wife, as joint tenants (hereinafter referred to as GRANTEES), an easement for ingress and egress and public utilities in, on, over, and across the real property in the City of Santa Clarita, County of Los Angeles, State of California, described in Exhibit A, and shown on and delineated on Exhibit B, both of which are attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which GRANTEES, by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agree to keep and perform, viz:

- DISTRICT reserves the paramount right to use said land for flood control purposes.
- 2. GRANTEES agree that they will not perform or arrange for the performance of any construction or reconstruction work in, on, over, and across the land herein described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

File with: TRANSFER DRAINS
PRIVATE DRAIN NO. 704 2
43-RW 2

S.D. 5 M1023002 Project ID: MPR0000024

- 3. GRANTEES agree that they shall indemnify, defend, and save harmless the DISTRICT, its officers, agents and/or employees, from any and all claims, demands, liability, loss, damage or expense to which DISTRICT, its officers, agents and employees may be subjected as the result of any act or omission by GRANTEES, their officers, agents, employees, and/or contractors, arising out of the exercise by GRANTEES, their officers, agents, employees or contractors of any of the rights granted to them by this Easement document.
- It is expressly understood that DISTRICT will not be called upon to construct, repair, maintain, or reconstruct any structure or improvement to be erected or constructed pursuant to this Easement document.
- 5. The provisions and agreements contained in this Easement document shall be binding upon GRANTEES, their heirs, successors and assigns.

To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following GRANTEES' exercise of these easement rights to construct such structures and improvements, GRANTEES agree to pay on behalf of DISTRICT, that part of any such assessment levied against DISTRICT, which is based on the value contributed to that area by GRANTEES' said improvements.

Dated 8-10-2010



(LACFCD-SEAL)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic

Chair, Board of Supervisors of the

Los Angeles County Flood Control District

ATTEST:

SACHI A. HAMAI, Executive Officer of the Board of Supervisors of the County of Los Angeles

Deputy

DB:bw

P:CONF:EASEFLOODTOH&WPD 704-2ROBINSON.DOC 3310 RVSD 6710

STATE OF CALIFORNIA	) ) ss.		
COUNTY OF LOS ANGELES	)		
On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code that authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring the Chair's signature.			
The undersigned hereby certifies that on this <u>IO</u> day of <u>August</u> , 20 <u>IO</u> , the facsimile signature of <u>GLORIA MOLINA</u> , Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.			
In witness whereof, I hav day and year above written.	e also hereunto set my hand and affixed my official seal the		
	SACHI A. HAMAI, Executive Officer of the Board of Supervisors of the County of Los Angeles  By Sachelle Amitheeman  Deputy		
(LACFCD-SEAL)			
APPROVED AS TO FORM			
ANDREA SHERIDAN ORDIN County Counsel			
By Corole Suzulai Deputy			
APPROVED as to title and execution,, 20			
DEPARTMENT OF PUBLIC WORKS Survey/Mapping & Property Management	t Division		
Supervising Title Examiner			

#### **EXHIBIT A**

File with: TRANSFER DRAINS
PRIVATE DRAIN NO. 704 2

43-RW 2 A.P.N. 2802-003-908 I.M. 264-137 Fifth District T.G. 4551 (G1)

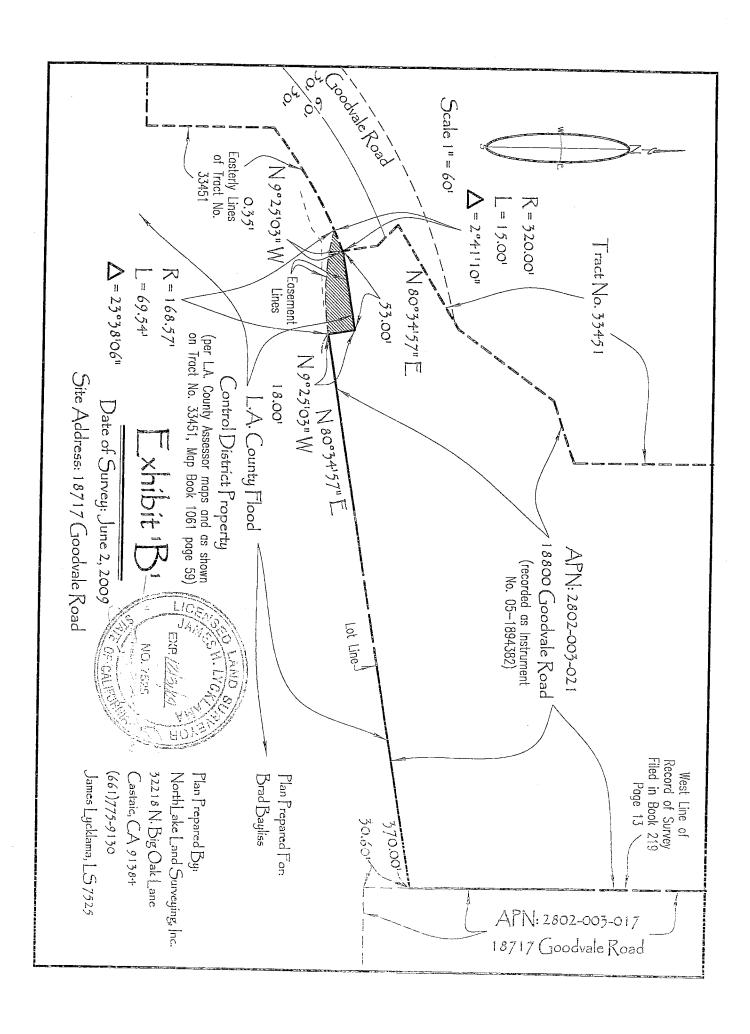
## LEGAL DESCRIPTION

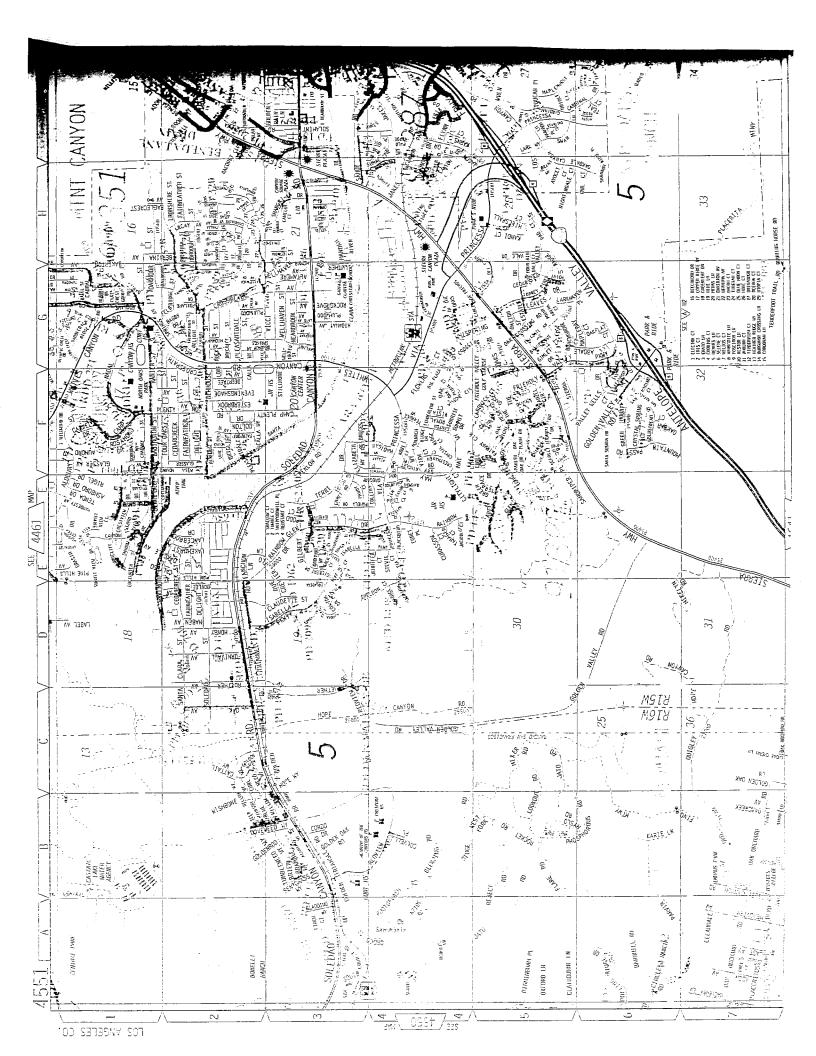
(GRANT OF EASEMENT FOR INGRESS AND EGRESS AND PUBLIC UTILITIES)

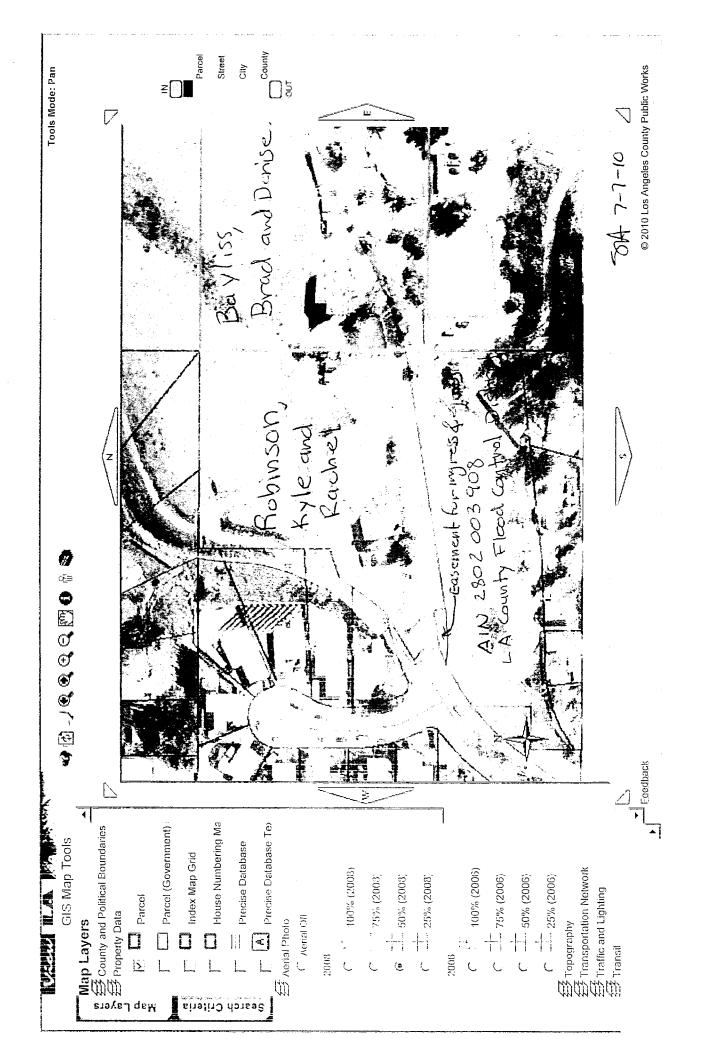
THAT PORTION OF PARCEL NO. 2A AS DESCRIBED IN A FINAL ORDER OF CONDEMNATION FILED AS CASE NO. 991834 OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, AS RECORDED IN DOCUMENT NO. 3913 ON JUNE 4, 1973 IN BOOK D5895 PAGE 555 OF OFFICIAL RECORDS, IN THE OFFICE OF THE REGISTRAR-RECORDER/COUNTY CLERK OF THE COUNTY OF LOS ANGELES, WITHIN THE FOLLOWING DESCRIBED BOUNDARIES;

BEGINNING AT THE WESTERLY TERMINUS OF THE LINE DESCRIBED IN SAID PARCEL NO. 2A AS HAVING A BEARING OF NORTH 80°34'57" EAST AND A DISTANCE OF 370.00 FEET, ALSO BEING THE TRUE POINT OF BEGINNING, SAID WESTERLY TERMINUS ALSO BEING THE BEGINNING OF A CURVE TANGENT TO SAID LINE, CONCAVE NORTHERLY, AND HAVING A RADIUS OF 168.57 FEET; THENCE WESTERLY ALONG SAID CURVE AN ARC DISTANCE OF 69.54 FEET THROUGH A CENTRAL ANGLE OF 23°38'06" TO A CURVE IN THE GENERALLY SOUTHEASTERLY BOUNDARY OF TRACT NO. 33451, IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1061, PAGES 57 THROUGH 59, INCLUSIVE, OF MAPS, FILED WITH SAID REGISTRAR-RECORDER/COUNTY CLERK; LAST SAID CURVE BEING CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 320.00 FEET, AN ARC DISTANCE OF 94.23 FEET, AND Α CENTRAL ANGLE OF 16°52'18": NORTHEASTERLY ALONG LAST SAID CURVE AN ARC DISTANCE OF 15.00 FEET, AND A CENTRAL ANGLE OF 2°41'10"; THENCE NORTH 9°25'03" WEST ALONG SAID GENERALLY SOUTHEASTERLY BOUNDARY A DISTANCE OF 0.35 FEET TO THE WESTERLY TERMINUS OF A LINE DESCRIBED IN SAID PARCEL NO. 2A AS HAVING A BEARING OF NORTH 80°34'57" EAST AND A DISTANCE OF 53.00 FEET; THENCE ALONG THE GENERALLY NORTHERLY BOUNDARY OF SAID PARCEL NO. 2A NORTH 80°34'57" EAST 53.00 FEET AND SOUTH 9°25'03" EAST 18.00 FEET TO THE TRUE POINT OF BEGINNING.









# **DUPLICATE**

RECORDING REQUESTED BY AND MAIL TO:

Brad Bayliss and Denise Bayliss 18717 Goodvale Road Santa Clarita, CA 91351-1240

Space Above This Line Reserved for Recorder's Use

Assessor's Identification Number: 2802-003-908 (Portion)

	umentary Transfer Tax is \$
(	) computed on full value of property conveyed, or
(	) computed on full value less value of liens and
	encumbrances remaining at time of sale

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

Ву

# EASEMENT

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic (hereinafter referred to as DISTRICT), does hereby grant to BRAD BAYLISS and DENISE BAYLISS, husband and wife, as joint tenants (hereinafter referred to as GRANTEES), an easement for ingress and egress and public utilities in, on, over, and across the real property in the City of Santa Clarita, County of Los Angeles, State of California, described in Exhibit A, and shown on and delineated on Exhibit B, both of which are attached hereto and by this reference made a part hereof.

Subject to all matters of record and to the following reservation and conditions, which GRANTEES. by the acceptance of this Easement and/or the exercise of any of the rights granted herein, agree to keep and perform, viz:

- 1. DISTRICT reserves the paramount right to use said land for flood control purposes.
- 2. GRANTEES agree that they will not perform or arrange for the performance of any construction or reconstruction work in, on, over, and across the land herein described until the plans and specifications for such construction or reconstruction work shall have first been submitted to and been approved in writing by the Chief Engineer of the Los Angeles County Flood Control District. Such approval by DISTRICT shall not be interpreted or inferred as an endorsement or approval as to the design, accuracy, correctness, or authenticity of the information shown on the submitted plans and specifications. Furthermore, such approval cannot be relied upon for any other purpose or by any third party for any reason whatsoever. DISTRICT does not accept ownership or responsibility for the improvements.

File with: TRANSFER DRAINS PRIVATE DRAIN NO. 704 2 43-RW 2

M1023003

Project ID: MPR0000023

- 3. GRANTEES agree that they shall indemnify, defend, and save harmless the DISTRICT, its officers, agents and/or employees, from any and all claims, demands, liability, loss, damage or expense to which DISTRICT, its officers, agents and employees may be subjected as the result of any act or omission by GRANTEES, their officers, agents and employees, and/or contractors arising out of the exercise by GRANTEES, their officers, agents, employees or contractors of any of the rights granted to them by this Easement document.
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To the extent any lawful assessment be levied pertaining to the area to which this easement applies and to the extent that the assessment is based on the structures and improvements being constructed under the authority of this easement and provided further that the assessment be levied following GRANTEES' exercise of these easement rights to construct such structures and improvements, GRANTEES agree to pay on behalf of DISTRICT, that part of any such assessment levied against DISTRICT, which is based on the value contributed to that area by GRANTEES' said improvements.

Dated 8-10-2010



Chair, Board of Supervisors of the

a body corporate and politic

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,

Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:

SACHI A. HAMAI, Executive Officer of the Board of Supervisors of the County of Los Angeles

Deputy

DB:bw

P:CONF:EASEFLOODTOH&WPD 704-2BAYLISS.DOC 3310 RVSD RVSD 6310

STATE OF CALIFORNIA )			
COUNTY OF LOS ANGELES )	SS.		
ex officio the governing body of all c and authorities for which said Board of the Government Code that authorities	ard of Supervisors for the County of Los Angeles and other special assessment and taxing districts, agencies, so acts adopted a resolution pursuant to Section 25103 crized the use of facsimile signatures of the Chair of the instruments requiring the Chair's signature.		
The undersigned hereby certifies that on this <u>lo</u> day of <u>August</u> , 20 <u>lo</u> , the facsimile signature of <u>GLORIA MOLINA</u> .  Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.			
In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.			
	SACHI A. HAMAI, Executive Officer of the Board of Supervisors of the County of Los Angeles  By a Chelle Ami Herman  Deputy		
(LACFCD-SEAL)			
APPROVED AS TO FORM			
ANDREA SHERIDAN ORDIN County Counsel			
By Corole Suzulci Deputy	-		
APPROVED as to title and execution,			
, 20			
DEPARTMENT OF PUBLIC WORKS Survey/Mapping & Property Management Divis	ion		
Supervising Title Examiner			

Ву\_

#### EXHIBIT A

File with: TRANSFER DRAINS
PRIVATE DRAIN NO. 704 2

43-RW 2

A.P.N. 2802-003-908

I.M. 264-137 Fifth District T.G. 4551 (G1)

#### LEGAL DESCRIPTION

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